

**FILED
UNDER
SEAL**

United States District Court
for
the District of Nevada

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

Name of Offender: Tiffany Diane Frehner

Case Number: 2:17CR00011

Name of Sentencing Judicial Officer: Honorable William Fremming Nielsen

Date of Original Sentence: July 24, 2013

Original Offense: Conspiracy to Distribute Oxycodone, a Class C Felony

Original Sentence: 30 Months prison, followed by 36 Months TSR.

Date of Prior Revocation: April 25, 2018

Revocation Sentence: 7 Months prison, followed by 18 months TSR.

Date Supervision Commenced: December 28, 2015

Date Jurisdiction Transferred to District of Nevada: January 10, 2017

Name of Assigned Judicial Officer: Honorable Jennifer A. Dorsey

PETITIONING THE COURT

To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Must Not Interact With Criminals** - You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

On August 29, 2019, Frehner interacted with Andrew Crisostomo, who is a person convicted of felony offenses, Unlawful Possession of Postal Keys, Case Number 2:11CR0049-002, in the United States District Court, District of Nevada; Attempt Possession of Explosive or Incendiary Device, Case Number C217325, Nevada Eighth Judicial District Court, Clark County, Las Vegas, Nevada; Possession of a Controlled Substance With Intent to Sell, Case Number C217302m Nevada Eighth Judicial District Court, Clark County, Las Vegas, Nevada; and Possession of Controlled Substance With Intent to Sell, Case Number C257710, Nevada Eighth Judicial Court, Clark County, Las Vegas, Nevada, inside her residence. Frehner admitted she knew Crisostomo was a convicted felon.

2. **Be Truthful** - The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

On August 29, 2019, Frehner provided untruthful information about the male who was inside her residence. Specifically, she stated the male was a maintenance worker. On the same date, she changed her story to state the male was a person she knew only as "Rocky", who worked maintenance occasionally. Frehner was instructed to provide the full name and date of birth of the male to United States Probation Officer StarOn September 1, 2019, Frehner finally admitted the person inside her residence was Andrew Crisostomo.

3. **No Contact** – You must not communicate, or otherwise interact, with Andrew Crisostomo, either directly or through someone else, without first obtaining the permission of the probation office.

On August 29, 2019, Andrew Crisostomo was found to be inside Frehner's apartment and failed to identify himself, as noted in allegations 1 and 2 above.

4. **Home Confinement with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 6 months, and you must follow the rules and regulations of the location monitoring program.

GPS Monitoring (including hybrid GPS).

This form of location monitoring technology will be used to monitor the following restriction on your movement in the community (choose one):

You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits;

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer (**Home Detention**).

- A. Frehner violated location monitoring on August 4, 2019, by leaving her residence at 6:30 PM outside her scheduled allowed time without prior approval.
- B. Frehner violated location monitoring on August 4, 2019, by making unauthorized stops at Green Valley Grocery located at 3950 South Mountain Vista Street, Las Vegas, Nevada, at approximately 7:35 PM, and Carl's Junior Restaurant at 2380 East Flamingo Road, at approximately 8:08 PM. Frehner also did not return straight to her residence as instructed by USPO Julian Hicks as instructed when she was contacted regarding Violation 4A.
- C. Frehner violated location monitoring on August 7, 2019, by making an unauthorized stop at a Carwash located at 2710 East Desert Inn Road, Las Vegas, Nevada, from 10:55 AM to 11:17 AM.
- D. Frehner violated location monitoring on August 12, 2019, when she failed to charge her monitoring unit in over 24 hours as previously instructed.
- E. Frehner violated location monitoring on August 12, 2019, when she failed to acknowledge alerts related to low battery notifications at 11:08 AM and 11:33 AM.
- F. Frehner violated location monitoring on August 14, 2019, when she failed to acknowledge alerts related to low battery notifications at 4:38 AM, 4:58 AM, and 5:26 AM, which resulted in a tracker tamper restore when charged at 6:24 AM.
- G. Frehner violated location monitoring on August 26, 2019, when she made an unauthorized stop after arriving at her residence at a 7-11 located at 700 East Naples Drive, Las Vegas, Nevada.

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

U.S. Probation Officer Recommendation:

The term of supervision should be:

Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on September 4, 2019

Bryce Darrell Stark
 2019.09.04
18:56:01 -07'00'

Bryce D. Stark
United States Probation Officer

Approved:

 Benjamin Johnson
2019.09.04 18:53:27
-07'00'

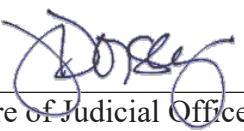
Benjamin B. Johnson
Supervisory United States Probation Officer

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

THE COURT ORDERS

- No Action.
- The issuance of a warrant.
- The issuance of a summons.
- Other:



Signature of Judicial Officer

9/5/2019

Date

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. TIFFANY DIANE FREHNER, 2:17CR00011

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
September 4, 2019

Frehner began her second term of supervised release on November 5, 2018. She was immediately referred to the local halfway house for residence due to not having a suitable residence to release to or employment. Frehner was able to obtain employment through a restaurant inside the New York New York Hotel and Casino and obtained her own apartment.

As noted in the previous petition, shortly after Frehner started her second term of supervised release, she initiated contact with a known felon at the halfway house who has a history of pimping. Frehner entered the Las Vegas Community Corrections Center on November 5, 2018. On November 13, 2018, she engaged in a text message conversation with Reginald Weaver. Weaver is currently serving the remaining of his custodial sentence at the facility as a resident.

On November 13, 2018, Weaver and Frehner began communication and Frehner discussed a minivan she obtained from “an old man”. She also texted to Weaver that she had not been to the “studio” since her car accident. Weaver advised they should sit down and come up with a plan. Frehner stated she was busy at the time but “would for sure”.

On December 16, 2018, Weaver texted Frehner and stated he wanted her as a business partner. Frehner advised she was at work at the New York New York Hotel but would be back by 9. Weaver advised he wanted to see her then and “this shit is about real money. I promise you gonna love this”. Weaver then advised he was at New York New York.

On December 23, 2018, Weaver texted Frehner asking when they would sit and have the discussion they talked about. On December 31, 2018, Weaver texted Frehner asking “ain’t you tired of going through all the bullshit. Let me know when you ready for me to end of your life.” On January 1, 2019, Weaver texted Frehner asking “You want to get some money or what let me post you some ads you can schedule your clients when you not at work.”

On January 3, 2019, Weaver texted Frehner “send me 5 pics and let’s see what it do. Let’s get it going and you can scheduled your clients how you want on your time. But send pics some we can see what it do... let’s get this bag”. Frehner responded to the text that she was getting her own apartment and would see if she had any pictures when she was not driving because she did

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

not know what she had on that phone. Weaver responded by texting “just send what you got, I’m just trying to get this shit rolling”.

On January 5, 2019, Frehner texted a photo of herself to Weaver, dressed and standing in the entry of a shower. She stated it was the only photo she had at the time and she had not taken pictures since she “got out this time”. Weaver responded by telling Frehner he was going to use another females “buttie shots and tittie shots” where the face of those pictures could not be seen. Weaver then texted nude photos of a female with no face seen. Frehner responded to the photos he sent by sending four nude photos of herself and one photo of her face, where she is seen wearing a gray shirt and wearing her glasses. She stated “that’s all I have” in the text to Weaver. Weaver responded less than four hours later on the same date and sent a screen shot of an ad for sex. Weaver texted Frehner to call him to explain to her how the service works. It was noted that the photos texted to Weaver by Frehner match photos located on her phone during a search of the phone.

On June 25, 2019, posted escort/prostitution ads were located by the undersigned officer while performing a Google telephone search of Frehner’s cellular telephone number. Further investigation revealed ads were posted on Megapersonals and Escortalligator on January 5, 2019. The ads matched a screenshot of what was sent to Frehner from Weaver. The photos in the ads were those sent to Weaver by Frehner, along with other photos Weaver sent to Frehner when he advised her he would be submitting not of her.

The posted escort/prostitution ads read as follows: “We all know what goes down in Vegas stays in Vegas so why not call me and let me give you a ultimate Las Vegas experience 1 hour full service multiples nuts just me and you wild sex no rush...you get what ever you won’t how ever you want. One whole hour of hot and heavy sex multiple nuts Ask for the goddess of love No block calls will be accepted All clients must be a gentleman at all times Please have the full donation when arrived and bring extra donations because I guarantee you going to want more time with the goddess of love.. There are no refunds Prices are non-negotiable, safe sex is mandatory. All clients must participate in safe sex.. Incalls 350hr full service Outcall 400hr full service.”

On June 26, 2019, Frehner was questioned by the undersigned officer about the posted ads. She denied any involvement with the posting and stated she did not know who posted them. She advised she did send some photos to a person she met at the Las Vegas Community Corrections Center that she only knew as “Beast”. The undersigned officer requested consent to view her telephone and she agreed. It was noted that there was a contact identified only as “Beast” in her contacts. The number matched records for Reginald Weaver as noted above. Photos in the phone

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

matched photos posted in the escort/prostitution ad. The phone was seized as evidence and a further analysis was performed.

It was noted during the conversation with Frehner on June 26, 2019, that she admitted she admitted she had previously been involved in prostitution during her last term of supervised release and never shared the information with anyone. She stated her boyfriend at the time was acting as her “pimp” and she was enrolled for escort/prostitution services through a company she could not identify, but she did recall earning \$500 to \$600 per session with individuals.

Frehner has been attending counseling for mental health and substance abuse treatment at Choices. She has been working through family issues related to her 12-year-old daughter, who until recently resided in Idaho. Since the last time Frehner appeared in Court, the child now resides with Frehner in Las Vegas, Nevada, with approved supervision. At the time of the filing of the last petition, there was a concern regarding Frehner’s involvement with a convicted felon, Jesse Lee Taber, who had an active warrant for felony Lewdness by a Person over 18 with a Child less than 14. This, coupled with the apparent involvement in prostitution by Frehner was and is concerning for the child’s best interest as a resident with Frehner.

It was also noted that Frehner’s telephone was seized on June 26, 2019, for investigation purposes. She was instructed by the undersigned officer to report a new telephone number she could be reached at during the interim and failed to do so. Frehner had been calling into the random drug testing line using the same telephone number and a message was left for her to contact the undersigned officer immediately. On July 11, 2019, Frehner called the undersigned officer from a blocked number, stating she received the officers message, but failed to report a number she could be contacted at. During an attempted home visit on July 8, 2019, the undersigned officer advised Taber to notify Frehner to contact the undersigned officer immediately. Frehner failed to contact the undersigned officer.

On July 29, 2019, Frehner appeared before Your Honor for a revocation hearing. At the hearing, Frehner admitted to the violations contained in the petition and a joint recommendation was presented to the Court to hold in abeyance a decision on whether or not to revoke supervised release for six months. The Court agreed to the abeyance and supervised release conditions were modified to include home confinement with location monitoring for six months and no unsupervised contact with her daughter.

Since Frehner was released from custody, she has incurred several violations as noted in the petition. Of most concern is the issue of her continuing to have contact with known felons, who the Court has ordered specific no contact with through a special condition. This was done in the presence of her 12 year old daughter, and the person who was approved to be a person to provide supervision during contact with her daughter, both of which knew Crisostomo to be a convicted felon. All three individuals failed to provide factual information on who Crisostomo was during an unannounced home visit. During the visit, Frehner stated there was a maintenance worker working in her bathroom, after being asked twice who was present in her residence. The undersigned officer went to the restroom area to make contact with the individual, who stated he

RE: Tiffany Diane Frehner

Prob12C
D/NV Form
Rev. March 2017

was there working on a plumbing leak, then walked to the kitchen and stated he also needed to fix a missing vent over the stove. The male identified himself to USPO Steve Goldner outside the residence as Joe Cruz. Frehner first stated she did not know the persons name. Contact was made with maintenance workers at the apartment on the same date and the lead maintenance worker advised there was no person working there named Joe Cruz and he was often the only maintenance employee. Frehner was further questioned on the same date and she stated the person's name was "Rocky". She was instructed to provide the person's full name and date of birth so a records check could be performed no later than 4:00 PM the same date. Frehner failed to do so. Three days later, Frehner provided information indicating the person in her residence was Andrew Crisostomo, that she knew he was a convicted felon and she had a no contact condition with, and that she was untruthful in providing the information to the undersigned officer previously.

As a result of the information noted in the violations of the petition, the undersigned respectfully requests a warrant be issued for her arrest to initiate revocation proceedings. The undersigned recommends that Frehner remain in custody as a risk of nonappearance and a danger to the community due to her criminal associations and drug use.

Respectfully submitted,

Bryce D. Stark
2019.09.04 18:57:31
-07'00'

Bryce D. Stark
United States Probation Officer

Approved:

Benjamin Johnson
2019.09.04 18:53:57
-07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer